

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: September 6, 2019

SUBJECT: BZA Case 20113: Request for special exception relief pursuant to Subtitle D § 5201.1 from D § 1204, Lot Occupancy, D § 1207, Side Yard and C § 202, to permit a two-story rear addition to a nonconforming semi-detached dwelling

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area special exceptions pursuant to Subtitle D § 5201:

- D § 1204, Lot Occupancy (40 percent permitted; 45 percent existing; 49 percent proposed);
- D § 1207, Side Yard (5 feet required; 2 feet existing; 2 feet proposed); and
- C § 202.2, Nonconforming Structures.

II. LOCATION AND SITE DESCRIPTION

| | |
|------------------------------------|--|
| Address | 2907 P Street, N.W. |
| Applicant | Joe Hezir |
| Legal Description | Lot 810, Square 1268 |
| Ward, ANC | Ward 2, ANC 2E |
| Zone | R-20 |
| Historic District | Georgetown |
| Lot Characteristics | Rectangular lot with no alley access |
| Existing Development | One-family semi-detached dwelling |
| Adjacent Properties | Row and semi-detached dwellings |
| Surrounding Neighborhood Character | Moderate density residential with locally serving retail |
| Proposed Development | Two-story rear addition |

III. ZONING REQUIREMENTS and RELIEF REQUESTED

| R-20 Zone | Regulation | Existing | Proposed | Relief |
|------------------------|---------------------------------------|--|-----------------|-----------------|
| Height D § 1203 | 35-foot max. | 32.6 feet | 32.6 feet | None Required |
| Lot Width D § 1202 | 30-foot min. | 21 feet | 21 feet | None Required |
| Lot Area D § 1202 | 3,000 sq.ft. min. | 1,876 sq.ft. | 1,876 sq.ft. | None Required |
| Lot Occupancy D § 1204 | 40% max. | 45% | 49% | REQUIRED |
| Rear Yard D § 1206 | 20-foot min. | 27.5 feet | 23.5 feet | None Required |
| Front Setback D § 1205 | Consistent with one adjacent property | Consistent with both adjacent properties | No change | None Required |
| Side Yard D § 1207 | 5-foot min. | 2 feet | 2 feet | REQUIRED |

IV. OP ANALYSIS

Subtitle D Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) Lot occupancy;*
- (b) Yards;*
- (c) Courts;*
- (d) Minimum lot dimensions;*
- (f) Pervious surface; and*
- (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The subject application requests relief from lot occupancy and rear yard.

5201.2 Special exception relief under this section is applicable only to the following:

- (a) An addition to a building with only one (1) principal dwelling unit; or*
- (b) A new or enlarged accessory structure that is accessory to such a building.*

Relief is requested for an addition to a building with one principal dwelling unit.

5201.3 An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- (a) The light and air available to neighboring properties shall not be unduly affected;*

Although the minimum side yard would not be provided on the west side of the property, the existing two-foot side yard would be maintained and extended back toward the rear of

the lot and face a two-story rear addition and open court on the adjacent property to the west, minimizing impact on air and light. The minimum rear yard would be provided as required. Although lot occupancy is proposed to increase to 49 percent, the minimum required rear yard would be provided.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

The two-story addition would be set back two feet, as is the existing structure, from the west side lot line. The new construction would face an open court on the adjacent row house property to the west, beyond which is a two-story addition at the rear of that dwelling, providing an adequate separation.

(c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;

The proposed two-story addition would be minimally visible from the public street at the front of the lot, and lower in height than either the subject property or the houses on either side at the front.

(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and

The applicant submitted plans, photographs, elevation and section drawings sufficiently representing the proposed addition to adjacent buildings.

5201.4 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

OP makes no recommendations for special treatment.

5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

The subject application will not result in the introduction or expansion of a nonconforming use.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

The subject application will not result in the introduction or expansion of nonconforming height or number of stories.

V. COMMENTS OF OTHER AGENCIES

The Old Georgetown Board recommended approval of the application on May 23, 2019.

No comments from other agencies were submitted to the file as of the date of filing this report.

VI. COMMUNITY COMMENTS TO DATE

No comments from ANC 2E were submitted to the file as of the date of the filing of this report.

Location Map

